

## REMARKS

With this Response claims 1, 7, 10, and 16 are amended. No claims are currently added or canceled. Therefore, claims 1-20 are pending.

## CLAIM REJECTIONS - 35 U.S.C. § 102

Claims 1-4, 7-13, and 16-19 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2001/0033650 of Wilson et al. (*Wilson*). Applicant respectfully submits that these claims are not anticipated by the cited reference for at least the following reasons.

Claim 1 as amended herein recites the following:

receiving a data signal formatted according to a data communication protocol at a **first data communication platform**, the first data communication platform to support one or more data communication protocols;  
determining if the data communication protocol of the data signal is supported by the first data communication platform; and  
indicating to a **second data communication platform**, the second data communication platform to support a data communication protocol not supported by the first data communication platform, to receive the data signal at a by-pass path of a filter engine of the second data communication platform to **route the data signal through the filter engine without processing by the filter engine** if it is determined that the data communication protocol of the data signal is supported by the first data communication platform.

Claims 7, 10, and 16 similarly recite a first and second data communication platform and routing a data signal through a filter engine without processing if the data communication protocol of the data signal is supported by the first data communication platform.

*Wilson* discusses a receive path with various elements, the receive path to receive a single signal having components according to a first and second communication protocol. See para. [0090]. The receive path includes a digital filter 312 that "separates" the components to generate a first and second data stream from the received signal. See para. [0091] to [0093]. Even assuming the digital filter of *Wilson* supports two protocols, *Wilson* fails to disclose or suggest a

first and second communication platform, as recited in the claims. In contrast to the digital filter that supports both protocols, the claims recite a second communication platform receives the data signal at a by-pass path of a filter engine to route the signal through the filter engine without processing if it is determined that the data communication protocol of the data signal is supported by the first data communication protocol. Thus, *Wilson* fails to disclose or suggest at least one element of the claimed invention, and so fails to anticipate the invention as recited in the independent claims under MPEP §2131.

The remaining claims depend, either directly or indirectly from the independent claims, and so include the limitations of their respective base independent claims. Therefore, the cited reference necessarily fails to disclose or suggest at least the element of these claims set forth above with respect to the independent claims, and so fails to anticipate these claims.

#### **CLAIM REJECTIONS - 35 U.S.C. § 103**

Claims 5, 14, and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0033650 of Wilson et al. (*Wilson*) in view of U.S. Patent No. 5,550,803 of Crayford et al. (*Crayford*). Applicant notes that these claims depend from independent claims discussed above, and so necessarily include every limitation of the claims from which they depend. *Wilson* is shown above to be deficient in failing to disclose or suggest at least one element of the invention as recited in the independent claims. Furthermore, Applicant respectfully submits that *Crayford* fails to cure the deficiencies of *Wilson* with respect to the independent claims noted above. Therefore, the cited references, whether alone or in combination, fail to disclose or suggest at least one element of the invention as recited in the independent claims. Thus, the independent claims are nonobvious over the cited references under MPEP § 2143. Claims depending from nonobvious base claims, as do claims 5, 14, and

20, are also nonobvious, as per MPEP §2143.03. Therefore, the cited references fail to render obvious the invention as recited in these claims.

### CONCLUSION

For at least the foregoing reasons, Applicant submits that all rejections have been overcome placing all pending claims in condition for allowance. Such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the above-referenced application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,  
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Date: 10/15/04

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